

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

DOUGLAS CONLEY)	
)	
Plaintiff,)	CASE NO.: 1:20-CV-2742
)	
v.)	
)	
COMMERCIAL ACCEPTANCE COMPANY,)	
)	
Defendant.)	

**ANSWER TO COMPLAINT SEEKING DAMAGES FOR
VIOLATION OF THE FAIR DEBT COLLECTION PRACTICES ACT**

COMES NOW Defendant, by and through counsel, and for its Answer to Complaint Seeking Damages for Violation of the Fair Debt Collection Practices Act, states as follows:

1. Plaintiff's allegations in Paragraph 1 are legal conclusions rather than factual allegation. Plaintiff has no duty to respond. To the extent this Court finds Paragraph 1 contains one or more factual allegations, Plaintiff denies those allegations.

2. Plaintiff's allegations in Paragraph 2 are legal conclusions rather than factual allegation. Plaintiff has no duty to respond. To the extent this Court finds Paragraph 2 contains one or more factual allegations, Plaintiff denies those allegations.

3. Plaintiff's allegations in Paragraph 3 are legal conclusions rather than factual allegation. Plaintiff has no duty to respond. To the extent this Court finds Paragraph 3 contains one or more factual allegations, Plaintiff denies those allegations.

4. Plaintiff's allegations in Paragraph 4 are legal conclusions rather than factual allegation. Plaintiff has no duty to respond. To the extent this Court finds Paragraph 4 contains one or more factual allegations, Plaintiff denies those allegations.

Jurisdiction

5. Plaintiff's allegations in Paragraph 5 are legal conclusions rather than factual allegation. Plaintiff has no duty to respond. To the extent this Court finds Paragraph 5 contains one or more factual allegations, Plaintiff denies those allegations.

Venue

6. Plaintiff's allegations in Paragraph 6 are legal conclusions rather than factual allegation. Plaintiff has no duty to respond. To the extent this Court finds Paragraph 6 contains one or more factual allegations, Plaintiff denies those allegations.

7. Admit.

8. Admit.

9. Admit.

Parties

10. Defendant lacks sufficient information to admit or deny the allegations in Paragraph 10. Therefore, Defendant denies the allegations in Paragraph 10.

11. Plaintiff's allegations in Paragraph 11 are legal conclusions rather than factual allegation. Plaintiff has no duty to respond. To the extent this Court finds Paragraph 11 contains one or more factual allegations, Plaintiff denies those allegations.

12. Plaintiff's allegations in Paragraph 12 are legal conclusions rather than factual allegation. Plaintiff has no duty to respond. To the extent this Court finds Paragraph 12 contains one or more factual allegations, Plaintiff denies those allegations.

13. Admit.

14. Admit.

15. Admit.

16. Admit.

Factual Allegations

17. Admit.

18. Plaintiff's allegations in Paragraph 18 are legal conclusions rather than factual allegation. Plaintiff has no duty to respond. To the extent this Court finds Paragraph 18 contains one or more factual allegations, Plaintiff denies those allegations.

19. Admit.

20. Admit.

21. Defendant admits Plaintiff disputes this debt as is apparent from Plaintiff filing this action. Defendant denies all other allegations not expressly admitted.

22. Defendant admits Plaintiff requests Defendant to cease all further communication on the debt as is apparent from Plaintiff filing this action. Defendant denies all other allegations not expressly admitted.

23. Admit.

24. Admit.

25. Admit.

26. Admit.

27. Plaintiff's allegations in Paragraph 27 are legal conclusions rather than factual allegation. Plaintiff has no duty to respond. To the extent this Court finds Paragraph 27 contains one or more factual allegations, Plaintiff denies those allegations.

28. Admit.

29. Plaintiff's allegations in Paragraph 29 are legal conclusions rather than factual allegation. Plaintiff has no duty to respond. To the extent this Court finds Paragraph 29 contains one or more factual allegations, Plaintiff denies those allegations.

30. Plaintiff's allegations in Paragraph 30 are legal conclusions rather than factual allegation. Plaintiff has no duty to respond. To the extent this Court finds Paragraph 30 contains one or more factual allegations, Plaintiff denies those allegations.

31. Defendant is without sufficient information to admit or deny Plaintiff's allegations in Paragraph 31. Therefore, Defendant denies the allegations in Paragraph 31.

32. Admit.

33. Admit.

34. Admit.

35. Plaintiff's allegations in Paragraph 35 are legal conclusions rather than factual allegation. Plaintiff has no duty to respond. To the extent this Court finds Paragraph 35 contains one or more factual allegations, Plaintiff denies those allegations.

36. Plaintiff's allegations in Paragraph 36 are legal conclusions rather than factual allegation. Plaintiff has no duty to respond. To the extent this Court finds Paragraph 36 contains one or more factual allegations, Plaintiff denies those allegations.

37. Plaintiff's allegations in Paragraph 37 are legal conclusions rather than factual allegation. Plaintiff has no duty to respond. To the extent this Court finds Paragraph 37 contains one or more factual allegations, Plaintiff denies those allegations.

38. Plaintiff's allegations in Paragraph 30 are legal conclusions rather than factual allegation. Plaintiff has no duty to respond. To the extent this Court finds Paragraph 30 contains one or more factual allegations, Plaintiff denies those allegations.

**First Claim for Relief:
Violation of the FDCPA**

1. Defendant re-alleges and incorporates herein by reference the responses to previous paragraphs above.

Plaintiff's allegations in Paragraph 1 are legal conclusions rather than factual allegation. Plaintiff has no duty to respond. To the extent this Court finds Paragraph 1 contains one or more factual allegations, Plaintiff denies those allegations.

2. Plaintiff's allegations in Paragraph 2 are legal conclusions rather than factual allegation. Plaintiff has no duty to respond. To the extent this Court finds Paragraph 2 contains one or more factual allegations, Plaintiff denies those allegations.

3. Plaintiff's allegations in Paragraph 3 are legal conclusions rather than factual allegation. Plaintiff has no duty to respond. To the extent this Court finds Paragraph 3 contains one or more factual allegations, Plaintiff denies those allegations.

4. Plaintiff's allegations in Paragraph 4 are legal conclusions rather than factual allegation. Plaintiff has no duty to respond. To the extent this Court finds Paragraph contains one or more factual allegations, Plaintiff denies those allegations.

5. Plaintiff's allegations in Paragraph 5 are legal conclusions rather than factual allegation. Plaintiff has no duty to respond. To the extent this Court finds Paragraph 5 contains one or more factual allegations, Plaintiff denies those allegations.

Prayer for Relief

6. To the extent Plaintiff's prayer for relief contains any factual allegations, Defendant denies them.

WHEREFORE Defendant respectfully requests this Court enter a judgment in favor of Defendant and against Plaintiff, award Defendant reasonable attorney's fees and costs of court

and for all other relief deemed just and proper.

Respectfully submitted,

**COMMERCIAL ACCEPTANCE
COMPANY**

By: /s/ Dennis J. Barton III
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CERTIFICATE OF SERVICE

I hereby certify a true and accurate copy of the foregoing was delivered to all parties of record via this Court's CM/ECF system on November 23, 2020.

/s/ Dennis J. Barton III